

As to the other branch of the Statute. It will be remembered that though the *want* of an original writ is aided after verdict by Stat. 18 Eliz. c. 14, an original bad in substance or a good original which did not warrant the declaration was not helped. In the case of *Giles v. Perryman*, 1. H. & G. 164, the writ was against the defendant in his own right and the declaration charged him in his representative capacity as administrator. The Court observed that it was laid down by Serjeant Williams in note 3 to 1 Wms. Saund. 318, that no advantage could be taken at this day either of a defective original or of a variance between it and the declaration; but they would not decide that point, holding that the variance after verdict was cured by the Statutes 21 Jac. 1, c. 13 and this Statute and the Act of 1809, ch. 153.<sup>1</sup> The Code now allows of amendments of the original writ.<sup>2</sup>

<sup>1</sup> Code 1911, Art. 5, secs. 17, 18.

<sup>2</sup> Code 1911, Art. 75, sec. 35 (as now amended).

## STATUTES

Made at WESTMINSTER, *Anno* Regni GEORGH Regis &c. *duo-*  
*decimo* and A. D. 1725.

### CAP. XXIX.

#### An Act to prevent frivolous and vexatious Arrests.

I. For the more effectual preventing frivolous and vexatious Arrests, Be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of *June*, One thousand seven hundred and twenty-six, no Person shall be held to Special Bail upon any Process issuing out of any Superior Court, where the Cause of Action shall not amount to the Sum of Ten Pounds or upwards; nor out of any Inferior Court, where the Cause of Action shall not amount to the Sum of Forty Shillings or upwards; and that in all Cases, where the Cause of Action shall not amount to the Sum of Ten Pounds or upwards in any such Superior Court, or to Forty Shillings or upwards in any such Inferior Court (and the Plaintiff or Plaintiffs shall pro-